

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**CHRISTOPHER WILLARD**

**Plaintiff,**

**vs.**

**9:07-CV-1156**

**C.O. RAMSEY, Auburn Correctional Facility,  
and SGT. VANFLEET, Auburn Correctional Facility**

**Defendants.**

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**APPEARANCES:**

**OF COUNSEL:**

Christopher Willard  
05-A-2161  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, New York 10562  
Plaintiff, *Pro Se*

Hon. Andrew M. Cuomo  
Attorney General for the State of New York  
The Capitol  
Albany, NY 12224  
Counsel for Defendants

Megan M. Brown, Esq.  
Assistant Attorney General

**Norman A. Mordue, Chief U. S. District Judge**

**ORDER**

The above matter comes to me following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed on the 9<sup>th</sup> day of February 2010. Following fourteen days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The defendants' motion for summary judgment (Dkt. No. 30) is granted and judgment is granted as to both defendants on all claims. The Clerk shall enter judgment accordingly.
3. The plaintiff's state law tort claims are dismissed without prejudice.
4. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

**IT IS SO ORDERED.**

Dated: March 2, 2010  
Syracuse, New York

  
Norman A. Mordue  
Chief United States District Court Judge